

ORDINANCE NO. 11-04-016

TO AMEND TITLE 10 CHAPTER 10.08 OF THE CITY OF LOCUST GROVE CODE OF ORDINANCES, WHICH PROVIDES FOR PARKING REGULATIONS; TO AMEND CHAPTER 10.08 BY ADDING NEW SECTION 10.08.015 ENTITLED "DEFINITIONS"; TO AMEND NEW SECTION 10.08.015 FOR THE PURPOSE OF DEFINING TYPES OF CITY STREETS; TO REPEAL SECTION 10.08.030 ENTITLED "DESIGNATION OF PARKING SPACES; PARKING WITHIN SPACE REQUIRED; PARKING TIME LIMITS;" TO AMEND SECTION 10.08.030 ENTITLED "DESIGNATION OF ON-STREET PARKING AREAS; WHERE PERMITTED; PARKING TIME LIMITS; REGULATIONS;" TO REPEAL SECTION 10.08.040 ENTITLED "PARKING PROHIBITED;" TO AMEND SECTION 10.08.040 ENTITLED "PARKING PROHIBITED;" TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

THE COUNCIL OF THE CITY OF LOCUST GROVE HEREBY ORDAINS

SECTION 1. Chapter 10.08 of the Code of Ordinances of the City of Locust Grove is hereby amended by creating new Section 10.08.015 entitled "Definitions".

SECTION 2. Section 10.08.015 of the Code of Ordinances of the City of Locust Grove is hereby amended by inserting the following:

10.08.015 - Definitions.

The following terms expressed herein shall apply to the interpretation of this Chapter:

"Major Arterial Street" is a street, highway or road that handles a large volume of traffic and provides connection through the city to the surrounding region. The following are considered major arterial streets: Highway 42/US 23, Bill Gardner Parkway, LG-Griffin Road, and Peeksville Road. Interstate 75 is a specialized type of major arterial due to its control of access and is therefore considered a principal arterial.

"Minor Arterial Street" is a street, highway or road that handles a relatively large volume of traffic and provides connection either within City of Locust Grove or between the City to surrounding areas. The following are considered minor arterial streets: Jackson Street, Lester Mill Road, Locust Road, Bowden Street, Davis Road, South Ola Road, South Unity Grove Road, Tanger Boulevard, and Market Place Boulevard.

"Collector Street" is a street or road that handles moderate volumes of traffic and provides access to adjoining

residential properties and developments. The following are considered collector streets: Davis Lake Road, Club Drive, Frances Ward Drive, Grove Road, Hosanna Road, Indian Creek Road, Roberts Road, Shoal Creek Road, Price Drive, Bethlehem Road, and Pine Grove Road.

"Inoperative Vehicle" is a vehicle that is (1) not currently registered with a government jurisdiction as evidenced on the license plate or other current documentation; (2) not currently insured as required by law; or, (3) in a mechanical condition not capable of movement under its own power, such as flat tires, inoperable motor, or chassis damage.

"Local Street" is a street, lane, or road that handles relatively low volumes of traffic and provides access to local homes and/or businesses. For the purposes of this chapter, all streets not classified as either an arterial or collector street shall be considered a local street.

"Width (of street)" is the horizontal distance between the back of curbs for those streets with raised curbs and/or gutters or the distance between the edge of pavement (also referred to as "cart way") for those streets without curbs and/or gutter.

SECTION 3. Chapter 10.08 of the Code of Ordinances of the City of Locust Grove is hereby amended by repealing Section 10.08.030 in its entirety and replacing in lieu thereof the following:

10.08.030 - DESIGNATION OF ON-STREET PARKING AREAS; WHERE PERMITTED; PARKING TIME LIMITS; REGULATIONS.

A. **Downtown Business District.** Within the Downtown Business District, individual parking spaces shall be marked off and maintained along Highway 42 between Cleveland Street to Smith Street. Such parking spaces shall be designated by lines painted or otherwise durably marked on the curb and/or the surface of the street.

1. At each space so marked it is unlawful for any person to park a vehicle in such a way that the vehicle shall not be entirely parked within the limits of the space.
2. No vehicle shall be parked for a continuous period of over two hours at or in the same parking space in any designated two-hour parking space along

Highway 42 from the intersection of Highway 42 and Cleveland Street to Smith Street.

- B. **Conservation Subdivisions, Planned Development, and Mixed Uses.** Throughout the rest of the corporate limits of the City there may exist certain on-street parking areas constructed and marked for parking, including properties designated for conservation subdivisions, for certain planned developments and for areas zoned now or in the future for mixed uses. Such parking spaces shall be designated by lines painted or otherwise durably marked on the curb and/or the surface of the street.
- C. **Local Streets.** Within local streets comprising the corporate limits of the City, parking is permitted under the following:
1. Streets must be greater than twenty feet (20') in width;
 2. Parking is allowed only on one (1) side of the street for streets greater than twenty feet (20') but less than thirty feet (30') in width, which shall be the odd-numbered address side of such streets;
 3. For streets greater than thirty feet (30') in width, parking is allowed on both sides of such streets;
 4. No parking shall be permitted within a cul-de-sac or other closed-ended street or alleyway unless there is enough distance to provide for a parked vehicle that does not block the general travel way or neighboring driveway. For this purpose, lot frontage must be generally greater than fifty-five feet within the radius of the cul-de-sac;
 5. All parking must be in the primary direction of travel within said streets;
 6. No parking is permitted either within twenty feet (20') of a street intersection or in a manner that blocks view within a sight triangle of an intersection;
 7. Parking shall not block driveway entrances;
 8. Parking shall not be within ten feet (10') on either side of a fire hydrant;
 9. Parking shall not generally interfere with mail delivery.
- D. It is unlawful for the owner or operator of any motor vehicle or other vehicle to park the vehicle or allow the vehicle to remain parked in any of the places on the streets and alleys of the city, at any time on the days and between the hours indicated and specified by posted signs limiting parking time in certain locations on certain days and hours.

- E. The chief of police shall be responsible for making recommendations to the city council for designation of parking areas within the city, posting parking areas, and designating the hours allowed for parking. From time to time, the city council may find it necessary to alter the designation for parking areas and/or the duration for which parking will be permitted.

SECTION 4. Chapter 10.08 of the Code of Ordinances of the City of Locust Grove is hereby amended by repealing Section 10.08.040 in its entirety and replacing in lieu thereof the following:

10.08.040 Parking prohibited, handicapped parking.

- A. It is unlawful for the owner or operator of any motor vehicle described in the Official Code of Georgia (O.C.G.A.) section 40-1-1 or any other type vehicle described in the Official Code of Georgia (O.C.G.A.) Section 40-1-1 to park vehicle or to allow vehicle to remain parked on the city streets, alleys and rights-of-way not otherwise permitted in Section 10.08.030 unless the specific area has been posted by the city indicating that parking is authorized in that specific area.
- B. It is unlawful for any person to stop, stand or park any vehicle in a handicapped parking place unless there is displayed on the dashboard or hung from the rearview mirror of the parked vehicle a valid unexpired handicapped parking permit or unless there is attached to the vehicle a specially designed license plat for disabled persons.
- C. It is unlawful for any person to stop, stand or park any vehicle in a handicapped parking place except for the purpose of allowing a handicapped person to enter or get out of such vehicle while in such parking place. However, nothing in this section shall prevent an ambulance or emergency vehicle from stopping in a handicapped parking place (in the charge of official duties).
- D. No person shall park a vehicle so as to block any entrance or exit ramp used by handicapped persons on public or private property.
- E. Authorities of the city shall honor visitors' out-of-state handicapped license tags or similar special parking permits or placards on the same basis as handicapped license tags, special parking permits or placards issued within the state.
- F. It is unlawful for any person to park any vehicle upon a street for the purpose of displaying it for sale.
- G. It is unlawful for any person to park any

- inoperative vehicle upon a street or alleyway.
- H. Double parking shall not be permitted on any street.
 - I. Notwithstanding the foregoing, the following exceptions are authorized:
 - 1. Vehicles associated with providing immediate medical services;
 - 2. Vehicles being used to provide fire, police and emergency services;
 - 3. Vehicles owned and operated by the city when being used for official or emergency duties;
 - 4. Vehicles being used to provide delivery of goods or other services as part of their regular duties;
 - J. Where parking is allowed or exempted under this section, the vehicle shall not block or interfere with the passageways of other vehicles using such street, alley or right-of-way. When a vehicle is deemed by city law enforcement personnel to block or interfere with the safe passageway of other vehicles or a public safety hazard the vehicle may be towed at owner's expense.
 - K. Any vehicle parked or left standing in violation of this section may be subject to immobilization through wheel locks or similar mechanisms, or towed. The owner or operator shall be responsible for all fees assessed in connection with the immobilization, impoundment, removal, storage, and release of the vehicle, as well as all administrative and court charges.
 - L. Unless otherwise provided in this chapter, the municipal court of the city shall impose the following penalties after it finds the cited person or persons guilty or such person or persons enter a plea of guilty or nolo contendere for any violation of this chapter:
 - 1. For the first time violators of this chapter, a warning ticket will be issued;
 - 2. For second time violators of this chapter, the vehicle will be immobilized or towed with all expenses thereof being paid by the owner prior to the release of the vehicle;
 - 3. For third time violators of this chapter, the vehicle will be immobilized or towed with all expenses thereof being paid by the owner prior to the release of the vehicle and the municipal court shall impose a fine not less than fifty dollars and not more than one hundred dollars per violation;
 - 4. For fourth time violators of this chapter, the vehicle will be immobilized or towed with all expenses thereof being paid by the owner prior to the release of the vehicle and the municipal court shall impose a fine not less than one

- hundred and fifty dollars and not more than three hundred dollars per violation;
5. For fifth time violators of this chapter, the vehicle will be immobilized or towed with all expenses thereof being paid by the owner prior to the release of the vehicle and the municipal court shall impose a fine not less than three hundred dollars and not more than five hundred dollars per violation;
 6. For sixth time violators of this chapter, the vehicle will be immobilized or towed with all expenses thereof being paid by the owner prior to the release of the vehicle and the municipal court shall impose a fine not less than five hundred dollars and not more than one thousand dollars per violation;

SECTION 5. This ordinance shall be codified in a manner consistent with the laws of the State of Georgia.

SECTION 6.

A. It is hereby declared to be the intention of the City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.


B. It is hereby declared to be the intention of the City Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other Section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the City Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other Section, paragraph, sentence, clause or phrase of this Ordinance.

C. In the event that any section, paragraph, sentence, clause or phrase of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the Ordinance and that, to the greatest extent allowed by

law, all remaining Sections, paragraphs, sentences, clauses, or phrases of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION 7. **Effective Date.** This ordinance shall become effective immediately upon its adoption by the Mayor and Council of the City of Locust Grove.

SO ORDAINED this 4th day of April, 2011.


LORENE LINDSEY, Mayor

ATTEST:


THERESA BREEDLOVE, City Clerk

(Seal)